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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,830	03/29/2001	John J. Varone	0100.2034-001	6200
21005	7590	11/19/2003	EXAMINER	
HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133 CONCORD, MA 01742-9133			ABRAMS, NEIL	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821830

Applicant(s)

Examiner

No Abrams

Group Art Unit

2839

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 10-9-03
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-45 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 1-8, 27-30, 32-45 is/are allowed.
- ☒ Claim(s) 9, 10, 12, 15, 17, 18, 21, 24, 31 is/are rejected.
- ☒ Claim(s) 11, 13, 14, 16, 19, 20, 22, 23, 25, 26 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))
- *Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

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Claims 9, 10, 12, 15, 17, 18 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Jarrett.

The Jarrett system includes a housing 10, a latch 14 mounted to the housing, the latch readable as having a "connector latch protrusion" 16 and a module latch protrusion 18 that functions as recited in claim 9, lines 5, 6. Claim 11 reads on use of plastic for the latch material as would be typical. For claim 12 note biasing means 22. Other rejected claims treated as those above since similar in scope.

Claims 9, 10, 12, 15, 17, 18, 31, 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jarrett.

For method claims 21, 24 recited steps define obvious way to use Jarrett system. The "raising" step does not overcome reference since obvious to reorient latch 14 to top part of module 10, such change producing no new result. Claims 9, 10, etc included in case issues arise as to just what features are taught by Jarrett. For example, obvious to mount latch 14 to be more fully "within" the module housing.

Applicant's arguments filed with the amendment and pertinent to claims now rejected have been fully considered but they are not persuasive.

Arguments as on page 13, lines 1-18 are effective but features discussed are not clearly required by claims at issue. Claim 9 would be allowed if amended as follows, line 5 after "connector" add --for securing the connector to the module and--.

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As now recited, in claim 9, terms "connector latch protrusion" do not require function and are readable on Jarrett latch protrusion 16.

For claims 15, 21, 24 similar changes could be made.

The following is an examiner's statement of reasons for allowance: For claims 1, etc, none of the prior art provide for "tool use" in the context of the claimed combinations. For claim 9, if amended as suggested above, it is agreed, as argued by applicant, that the Jarrett system does not provide for "latched securement" of connector 20 to housing 10. Since this feature is shown to produce a distinct advantageous result, it cannot properly be said to have been an obvious variation of the Jarrett device.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 1-8, 27-30 and 32-45 are allowed.

Claims 11, 13, 14, 16, 19, 20, 22, 23, 25, 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Note that these claims would be allowed with suggested changes to parent claims.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to N. Abrams at telephone number 308-1729.

Abrams/ek

11/17/03


NEIL ABRAMS
EXAMINER
ART UNIT 322